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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

**ALLEN DAVIS and CAROL DAVIS,**  
**Plaintiffs,**  
**v.**  
**UNITED STATES OF AMERICA,**  
**Defendant.**

**Case No. 11-cv-4316-EDL**

**STIPULATION TO (1) EXTEND TIME  
 TO ANSWER OR OTHERWISE PLEAD,  
 AND (2) CONTINUE THE CASE  
 MANAGEMENT CONFERENCE; AND  
~~PROPOSED~~ ORDER**

The parties stipulate as follows:

1. Plaintiffs Allen and Carol Davis filed this case on August 31, 2011, which seeks a refund of federal taxes for specified years.
2. Plaintiffs served the defendant, the United States, on September 2, 2011, and an answer or responsive pleading is due on or before November 1, 2011.
3. Counsel for the United States has requested, but has not yet received the Internal Revenue Service administrative file, a letter referring this case for defense, and other documents necessary to file a pleading in this matter. Those documents should be sent so that a responsive pleading can be filed no later than December 2, 2011. Based on

*Stipulation to Extend Time to Answer  
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these representations, the parties agree that defendant shall have until December 2, 2011, to file an answer or pleading in response to plaintiffs' complaint.

4. The parties further stipulate to continue the Case Management Conference from December 13, 2011, to January 31, 2012, at 10:00 a.m.

Respectfully submitted,

MELINDA HAAG  
United States Attorney

Dated: October 31, 2011

/s/Thomas M. Newman  
THOMAS M. NEWMAN  
Assistant United States Attorney  
Tax Division

Dated: October 31, 2011

/s/  
KENNETH G. HAUSMAN (No. 57252)  
HOWARD RICE NEMEROVSKI CANADY  
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**ORDER**

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: November 2, 2011

  
ELIZABETH D. LAPORTE  
United States Magistrate Judge